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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

NYE MYRICK,

Plaintiff,

vs.

COSTCO WHOLESALE CORPORATION,
a Foreign Corporation, DOE EMPLOYEES I
through X; DOES I through X; and ROE
CORPORATIONS I through X, inclusive.

Defendants.

CASE NO.: 2:24-cv-00102-JAD-EJY

STIPULATION AND ~~[PROPOSED]~~ ORDER TO EXTEND DISCOVERY DEADLINES

(~~FIRST~~ SECOND REQUEST)

IT IS HEREBY STIPULATED AND AGREED UPON, by and between Plaintiff, NYE MYRICK ("Plaintiff") and Defendant, COSTCO WHOLESALE CORPORATION ("Defendant Costco"), and hereby submit the following STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF DISCOVERY DEADLINES (~~First~~ Second Sequest) for this Honorable Court's consideration to extend the remaining deadlines in the current scheduling order and discovery plan in this matter for a period of ninety (90) days for the reasons explained herein. Pursuant to Local Rule IA 6-1(a), the parties hereby aver that this is the first discovery extension requested in this matter.

A. DISCOVERY COMPLETED TO DATE

The parties have conducted an FRCP 26(f) conference;

- On March 5, 2024 Plaintiff served her First Set of Interrogatory Requests to Defendant Costco Wholesale Corporation;
- On March 5, 2024 Plaintiff served her First Set of Request for Production of Documents Defendant Costco Wholesale Corporation;
- On March 21, 2024 Plaintiff served her Initial FRCP 26(f) Disclosure;
- On April 5, 2024 Defendant served its Initial FRCP 26(f) Disclosure;
- On May 3, 2024 Defendant served its First Supplement to Initial FRCP 26(f) Disclosure;
- On May 15, 2024 Defendant served its First Set of Requests for Admissions to Plaintiff;
- On May 15, 2024 Defendant served its First Set of Requests for Production of Documents to Plaintiff;
- On May 21, 2024 Plaintiff served her First Supplement to Initial FRCP 26(f) Disclosure;
- On June 11, 2024 Defendant Costco Wholesale Corporation served its Responses to Plaintiff's Requests for Production of Documents;
- On June 11, 2024 Defendant Costco Wholesale Corporation served its Responses to Plaintiff's First Set of Interrogatories;
- On June 13, 2024 Plaintiff served her Responses to Admissions Requests from Defendant Costco Wholesale Corporation;
- On June 13, 2024 Plaintiff served her Responses to Interrogatory Requests from Defendant Costco Wholesale Corporation;
- On June 13, 2024 Plaintiff served her Responses to Request for Production from Defendant Costco Wholesale Corporation;

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- 1 • On November 19, 2024 the deposition of NRCP 30(b)(6) Person Most Knowledgeable
- 2 Witness for Defendant Costco Wholesale Corporation (Michael De Baca) was taken by
- 3 the Plaintiff;
- 4 • On July 26, 2024 Defendant served its Second Supplement to Initial FRCP 26(f)
- 5 Disclosure;
- 6 • On August 6, 2024 Defendant Costco Wholesale Corporation served its First
- 7 Supplemental Responses to Plaintiff's Requests for Production of Documents;
- 8 • On August 8, 2024 the deposition of the Plaintiff was taken by the Defendant;
- 9 • On August 28, 2024 Defendant Costco Wholesale Corporation served its Second
- 10 Supplemental Responses to Plaintiff's Requests for Production of Documents;
- 11 • On October 9, 2024 the deposition of Frank A. Abboud was taken by Plaintiff;
- 12 • On October 11, 2024 Plaintiff served her Second Supplement to Initial FRCP 26(f)
- 13 Disclosure;
- 14 • On November 18, 2024 Defendant served its Third Supplement to Initial FRCP 26(f)
- 15 Disclosure;
- 16 • On November 19, 2024 the deposition of NRCP 30(b)(6) Person Most Knowledgeable
- 17 Witness for Defendant Costco Wholesale Corporation (Edgar Romero) was taken by the
- 18 Plaintiff, topic numbers 1-7;
- 19 • On November 22, 2024 Plaintiff served her Third Supplement to Initial FRCP 26(f)
- 20 Disclosure;
- 21 • On December 18, 2024 Plaintiff served her Fourth Supplement to Initial FRCP 26(f)
- 22 Disclosure;
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1 **B. DISCOVERY TO BE COMPLETED**

- 2 • Part 2 of deposition of NRCP 30(b)(6) Person Most Knowledgeable Witness for
- 3 Defendant Costco Wholesale Corporation (Edgar Romero), topic number 8.
- 4 • Site inspection. As to any opinions based on Plaintiff's expert's site inspection, defense
- 5 does not waive any objections as to timeliness or any other objections.
- 6 • Supplemental expert reports pursuant to the above discovery to be completed.
- 7 • Defense requests taking expert depositions and medical depositions of treating providers.

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9 **C. REASON DISCOVERY HAS NOT BEEN COMPLETED**

10 The deposition of NRCP 30(b)(6) Person Most Knowledgeable Witness for Defendant

11 Costco Wholesale Corporation was set well before current discovery deadlines; however,

12 Defendant filed a motion for protective order on October 30, 2024, as to topic no. 8; Plaintiff

13 filed an opposition on November 13, 2024. The parties went forward with the deposition topics

14 1-7 on November 19, 2024, and the motion for protective order as to topic no. 8 was heard by the

15 Court on December 9, 2024. The Court allowed a second part of the deposition to occur, as to

16 topic no. 8, within the parameters of the Court, which was issued as an order pursuant to the

17 Court transcript.

18 The parties require additional time to prepare for and take this deposition. Additionally,

19 Plaintiff's counsel had previously requested a site inspection before the close of discovery

20 deadline and the parties are working to accommodate this inspection.

21 Finally, supplemental expert reports may be warranted based on the second part of the

22 deposition to be taken and/or the site inspection.

23 The parties are requesting 90 days as both Plaintiff's counsel and Defendant's counsel

24 have jury trials set in late January 2025 and/or February 2025. Plaintiff's counsel's trial set in

25 February 2025 is expected to be a four week trial.

1 **D. PRIOR DISCOVERY DEADLINES**

2 Deadline	Current
3 Close of Discovery	1/31/25
4 Last Date to Amend Pleadings/ Add parties	CLOSED
5 Initial Expert Disclosures	CLOSED
6 Rebuttal Expert Disclosures	1/2/25
7 Dispositive Motion Deadline	3/3/25
8 Joint Pre-Trial Order	4/2/25

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10 **E. PROPOSED DISCOVERY DEADLINES**

11 Deadline	Proposed
12 Close of Discovery	5/1/25
13 Last Date to Amend Pleadings/ Add parties	CLOSED
14 Initial Expert Disclosures	CLOSED
15 Rebuttal Expert Disclosures	1/2/25
16 Dispositive Motion Deadline	6/2/25
17 Joint Pre-Trial Order	7/1/25

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1 If this extension is granted, all anticipated additional discovery should be concluded
2 within the stipulated extended deadline. The parties aver that this request for extension of
3 discovery deadlines is made by the parties in good faith and not for the purpose of delay.

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5 DATED this 2nd day of January 2025

DATED this 2nd day of January 2025

6 **GEORGE T. BOCHANIS, LTD.**

RANALLI ZANIEL FOWLER & MORAN, LLC

7 /s/ George T. Bochanis

/s/ Maegun Mooso

8 **GEORGE T. BOCHANIS, ESQ.**

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Attorneys for Defendant

12 IT IS SO ORDERED.

13 DATED this 2nd day of January 2025.

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15 
16 ELAYNA J. YOUCHAK
United States Magistrate Judge